

1 UNITED STATES OF AMERICA, )  
 2 )  
 3 )  
 4 v. ) C-04-3055 DLJ  
 5 ) CR-04-40127-DLJ (related case)  
 6 THOMAS GROSSI, LAURETTA WIEMER )  
 7 and ALBERT B. DEL MASSO )  
 8 )  
 9 In the matter of \$608,916.58 )  
 10 IN U.S. CURRENCY, AS SUBSTITUTE )  
 11 RES FOR REAL PROPERTY LOCATED AT )  
 12 2638 MARKET STREET, OAKLAND, )  
 13 CALIFORNIA )  
 14 \_\_\_\_\_ )

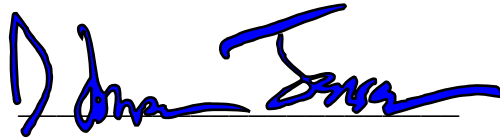
15 This Court held a hearing on June 8, 2007 to determine  
 16 Petitioner Laretta Weimer's legal interest in the forfeited  
 17 property at 2638 Market Street, Oakland. Following the hearing,  
 18 the Court ordered that the forfeiture should not apply to  
 19 Petitioner's \$100,000 loan to Defendant Grossi, which the Court  
 20 found defendant had used to purchase the Market Street property.  
 21 In making that determination, the Court relied in part on the  
 22 promissory note between Weimer and Grossi which reflected the terms  
 23 of the loan. The terms of the promissory note called for repayment  
 24 in full on or before November 30, 2006. As the Court did not have  
 25 before it at the June 8, 2007 hearing any evidence regarding  
 26 possible repayment of the loan, it deferred deciding on the amount  
 27 of payment due back from the Government to Ms. Weimer and ordered  
 28 that Grossi file with the Court evidence on the loan repayment  
 issue, both as to interest and to principal.

On June 13, 2007 in response to the Court's order a

1 "Notice of Payments on Laretta Weimer Loan re: Preliminary Order  
2 of Forfeiture" was filed with the Court. This document states in  
3 part that "[s]ubsequent to 4 June 2004, Grossi continued sending  
4 funds to his sister, Laretta Weimer, until an amount equal to his  
5 obligation to her under the promissory note had been paid over."  
6 As this document is signed by Attorney Michael as counsel for  
7 Laretta Weimer, the Court will proceed on the assumption that Ms.  
8 Weimer shares in this interpretation of the status of the  
9 promissory note and will rule in accordance with that assumption.  
10 If for any reason, the Court's interpretation of the June 13, 2007  
11 filing is incorrect, the Court orders that any clarification on  
12 this issue be filed with the Court within 10 days of the date of  
13 this Order.  
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17 IT IS SO ORDERED

18 Dated: June 27, 2007

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21 D. Lowell Jensen  
22 United States District Judge  
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